

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 6860

Petitions of Vermont Electric Power Company, Inc. )  
(VELCO), Vermont Transco, LLC, Green Mountain Power )  
Corporation (GMP), and Central Vermont Public Service )  
Corporation (CVPS) for a certificate of public good, )  
pursuant to 30 V.S.A. Section 248, authorizing VELCO to )  
construct the so-called Northwest Vermont Reliability )  
Project, said project to include: (1) upgrades at 12 existing )  
VELCO and GMP substations located in Charlotte, Essex, )  
Hartford, New Haven, North Ferrisburgh, Poultney, )  
Shelburne, South Burlington, Vergennes, West Rutland, )  
Williamstown, and Williston, Vermont; (2) the construction )  
of a new 345 kV transmission line from West Rutland to )  
New Haven; (3) the reconstruction of a portion of a 34.5 kV )  
and 46 kV transmission line from New Haven to South )  
Burlington; and (4) the reconductoring of a 115 kV )  
transmission line from Williamstown to Barre, Vermont )

Order entered: 12/12/2007

**ORDER RE: BACHANDS' REQUEST FOR RECONSIDERATION**

**Introduction**

On November 8, 2007, the Public Service Board ("Board") issued an Order approving a route for the 115 kV transmission line in the vicinity of the South Middlebrook Road crossing in Ferrisburgh, Vermont. In the November 8 Order, the Board reviewed routes proposed by Vermont Electric Power Company, Inc. ("VELCO") and Nancy and Ron Bachand, and determined that the route proposed by VELCO would better promote the public good of the state. On November 18, 2007, the Bachands submitted by e-mail a request for reconsideration of the Board's November 8 Order. In this Order, the Board denies the Bachands' request.

### Positions

The Bachands contend that the November 8 Order relies on inaccurate and misleading information and questions the Board's decision to not enter the observations from a September 20, 2007, site visit into the record, as the Bachands had previously requested.

On December 6, 2007, VELCO filed a letter recommending that the Board deny the Bachands' request for reconsideration. VELCO asserts that the Board's November 8 Order is supported by the evidence, the Bachands' assertions in their request for reconsideration regarding the impact of their proposed route are not supported by the record, and that the Board was correct in its decision not to enter facts and observations regarding the September 20, 2007, site visit into the record.

On December 7, 2007, the Department of Public Service ("Department") filed a letter stating that it supports the Board's November 8 Order. The Department contends that the November 8 decision is based on careful consideration of the record evidence, and is well within the Board's discretion. Finally, the Department asserts that entering the observations from the site visit into the record was not necessary as site visits "speak for themselves in many ways."

### Discussion

The Bachands contend that the November 8 Order is based on inaccurate and misleading information; however, the only inaccurate statement in the November 8 Order is the statement that the Bachands' alternative route would result in two road crossings while the VELCO proposal would require only one road crossing. Instead, as the Bachands note, each route would require two road crossings. In the other instances which the Bachands allege are based on misleading and inaccurate information, the Board evaluated competing claims regarding the two routes and determined, based on the information before it, which route would better promote the public good of the state. As the Department correctly asserts, a single incorrect statement in the November 8 Order regarding the number of road crossings required by the VELCO proposal does not constitute a fatal flaw in the Board's decision; the November 8 Order was based on a host of factors, of which the number of road crossings was only one.

Our November 8 Order explains our denial of the Bachands' September 23, 2007, request to enter into the evidentiary record observations and facts from the September 20 site visit. These reasons remain valid, and need not be reiterated in this Order.

Finally, because the Bachands are not a party to this Docket, they do not technically have the ability to request reconsideration of the Order.<sup>1</sup> However, since the Bachands proposed the alternative route that was being considered in the November 8 Order, we believe that a response to their November 18 e-mail is appropriate.

For the foregoing reasons, we deny the Bachands' request to reconsider our November 8 Order.

**SO ORDERED.**

Dated at Montpelier, Vermont, this 12<sup>th</sup> day of December, 2007.

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	)	PUBLIC SERVICE
	)	
s/David C. Coen	)	BOARD
	)	
	)	OF VERMONT
s/John D. Burke	)	

OFFICE OF THE CLERK

FILED: December 12, 2007

ATTEST: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.*

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1. The Bachands never moved to intervene in this Docket as required by Board Rule 2.209.